

IN RE: PETITION FOR ZONING VARIANCE \*  
W/S Southwick Drive, 194' S \*  
of Southwick Court \*  
(928 Southwick Drive) \*  
9th Election District \*  
4th Councilmanic District \*  
Roland Kahla, et ux \*  
Petitioners \*

MEMORANDUM AND ORDER

The Petitioners herein request variances to permit a side yard setback of 8 feet in lieu of the required 10 feet, and a sum of the side yard setbacks of 22.9 feet in lieu of the required 25 feet for a proposed addition for use by the Petitioners' father-in-law, as more particularly described in Petitioner's Exhibit 1.

The Petitioners, by Roland Kahla, appeared and testified. There were no Protestants.

Based upon the testimony and evidence presented at the hearing, all of which was uncontradicted, in the opinion of the Zoning Commissioner the relief requested sufficiently complies with the requirements of Section 307 of the Baltimore County Zoning Regulations (B.C.Z.R.) and therefore, should be granted. There is no evidence in the record that the subject variances would adversely affect the health, safety, and/or general welfare of the public. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioner.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the requested variances should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 14th day of May, 1988 that the Petition for Zoning Variance to permit a side yard setback of 8 feet in lieu of the required 10 feet, and a sum of the

Baltimore County  
Zoning Commissioner  
Office of Planning & Zoning  
Townson, Maryland 21204  
494-3353

J. Robert Haines  
Zoning Commissioner

Date: 4/26/88

Mr. & Mrs. Roland Kahla  
928 Southwick Drive  
Townson, Maryland 21204

Re: Petition for Zoning Variance  
Case numbers 88-450-A  
W/S Southwick Drive, 194' S of Southwick Court  
(928 Southwick Drive)  
9th Election District - 4th Councilmanic District  
Petitioner(s): Roland Kahla, et ux  
HEARING SCHEDULED: FRIDAY, MAY 6, 1988 at 9:00 a.m.

Dear Mr. & Mrs. Kahla:

Please be advised that \$70.95 is due for advertising and posting of the above-referenced property. All fees must be paid prior to the hearing. Do not remove the sign and post set(s) from the property from the time it is posted by this office until the day of the hearing itself.

THIS FEE MUST BE PAID AND THE ZONING SIGN(S) AND POST(S) RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT BE ISSUED.

Please make your check payable to Baltimore County, Maryland and bring it along with the sign(s) and post set(s) to the Zoning Office, County Office Building, Room 111, Townson, Maryland 21204 fifteen (15) minutes before

BALTIMORE COUNTY, MARYLAND  
OFFICE OF FINANCE - REVENUE DIVISION  
MISCELLANEOUS CASH RECEIPT

No. 52422

DATE: 5/6/88 ACCOUNT: 201-65-000

CK # 700 AMOUNT \$ 70.95

RECEIVED FROM: Margaret (Korolowski) Roland Kahla

FOR: 5/6/88 Haines

8 BLOS\*\*\*\*\*7088-450-A

VALIDATION OR SIGNATURE OF CABINET

side yard setbacks of 22.9 feet in lieu of the required 25 feet for a proposed addition for use by the Petitioners' father-in-law, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject, however, to the following restrictions:

1) The Petitioner may apply for his building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at his own risk until such time as the applicable appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.

2) Within thirty (30) days of the date of this Order, the Petitioners shall add a covenant to their Deed, recorded among the Land Records of Baltimore County, referencing this case and restricting the use of their proposed addition to the relative described herein and no other. Said covenant shall contain the proviso that such use shall terminate either at the death of said relative or upon the sale of the property, whichever occurs first. No subsequent purchaser shall maintain the second kitchen for any reason or purpose without a subsequent public hearing, which shall be subject to the terms and conditions contained herein. A copy of the covenant shall be submitted to the Zoning Commissioner evidencing compliance with this restriction before a building permit shall be issued.

3) The second kitchen shall be removed upon the death of the relative described herein, if the relative should reside elsewhere, or if the subject property is sold. Should any of the aforementioned events occur, the common wall between the addition and the original home shall be removed and the property returned to a single-family dwelling.

4) The Petitioners shall not allow or cause the addition to be converted to a second dwelling unit.

J. Robert Haines  
Zoning Commissioner of  
Baltimore County

CERTIFICATE OF POSTING  
ZONING DEPARTMENT OF BALTIMORE COUNTY  
Townson, Maryland

District: 9th Date of Posting: 4/19/88  
Posted for: Petitioner  
Petitioner: Roland Kahla, et ux  
Location of property: W/S Southwick Dr., 194' S of Southwick Ct., 928 Southwick Dr.  
Location of Sign: Facing Southwick Dr., 194' S of Southwick Ct., on property of Petitioner  
Remarks: None  
Posted by: J. Robert Haines Date of return: 4/19/88  
Number of Signs: 1

"DUPLICATE"  
CERTIFICATE OF PUBLICATION

TOWSON, MD., April 14, 1988

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., appearing on April 14, 1988

THE JEFFERSONIAN,

Luan Seidman Abstract  
Publisher

\$ 33.75

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland as follows:  
Petition for Zoning Variance  
Case number: 88-450-A  
W/S Southwick Drive, 194' S of Southwick Court (928 Southwick Drive)  
9th Election District - 4th Councilmanic District  
Petitioner(s): Roland Kahla, et ux  
HEARING: FRIDAY, MAY 6, 1988 at 9:00 a.m.  
Variance to permit a side yard setback of 8 feet in lieu of the required 10 feet and a sum of the side yard setbacks of 22.9 feet in lieu of the required 25 feet.  
In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be in writing and received in this office by the date of the hearing or before the date of the hearing set above or presented at the hearing.

J. ROBERT HAINES  
Zoning Commissioner of  
Baltimore County  
4/15 Apr 14

PETITION FOR ZONING VARIANCE  
TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY: 88-450-A

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 1802.3B (208.3) to permit a side yard setback of 8 feet in lieu of the required 10 feet and a sum of the side yard setbacks of 22.9 feet in lieu of the required 25 feet.

of the Zoning Regulations of Baltimore County to the Zoning Law of Baltimore County; for the following reasons: (Indicate hardship or practical difficulty)

1. The addition is required for living quarters for a handicapped in-law.
2. To avoid blocking the Kitchen Window and Exhaust Fan, yet have enough entry space for a Wheel Chair from the outside as well as into the existing dwelling.
3. To preserve as much useful central outdoor living space as possible.

Property is to be posted and advertised as prescribed by Zoning Regulations.

No. 47578

BALTIMORE COUNTY, MARYLAND  
OFFICE OF FINANCE - REVENUE DIVISION  
MISCELLANEOUS CASH RECEIPT

DATE: 4/19/88 ACCOUNT: 201-65-000

AMOUNT \$ 35.00

RECEIVED FROM: Margaret Kahla

FOR: 4/19/88 Haines

8 BLOS\*\*\*\*\*47578

VALIDATION OR SIGNATURE OF CABINET

Legal Owner(s):

Roland KAHLA

(Type or Print Name)

Signature: Margaret Kahla

(Type or Print Name)

Signature: Margaret Kahla

(Type or Print Name)

Signature: Margaret Kahla

(Type or Print Name)

Signature: Margaret Kahla

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(Type or Print Name)

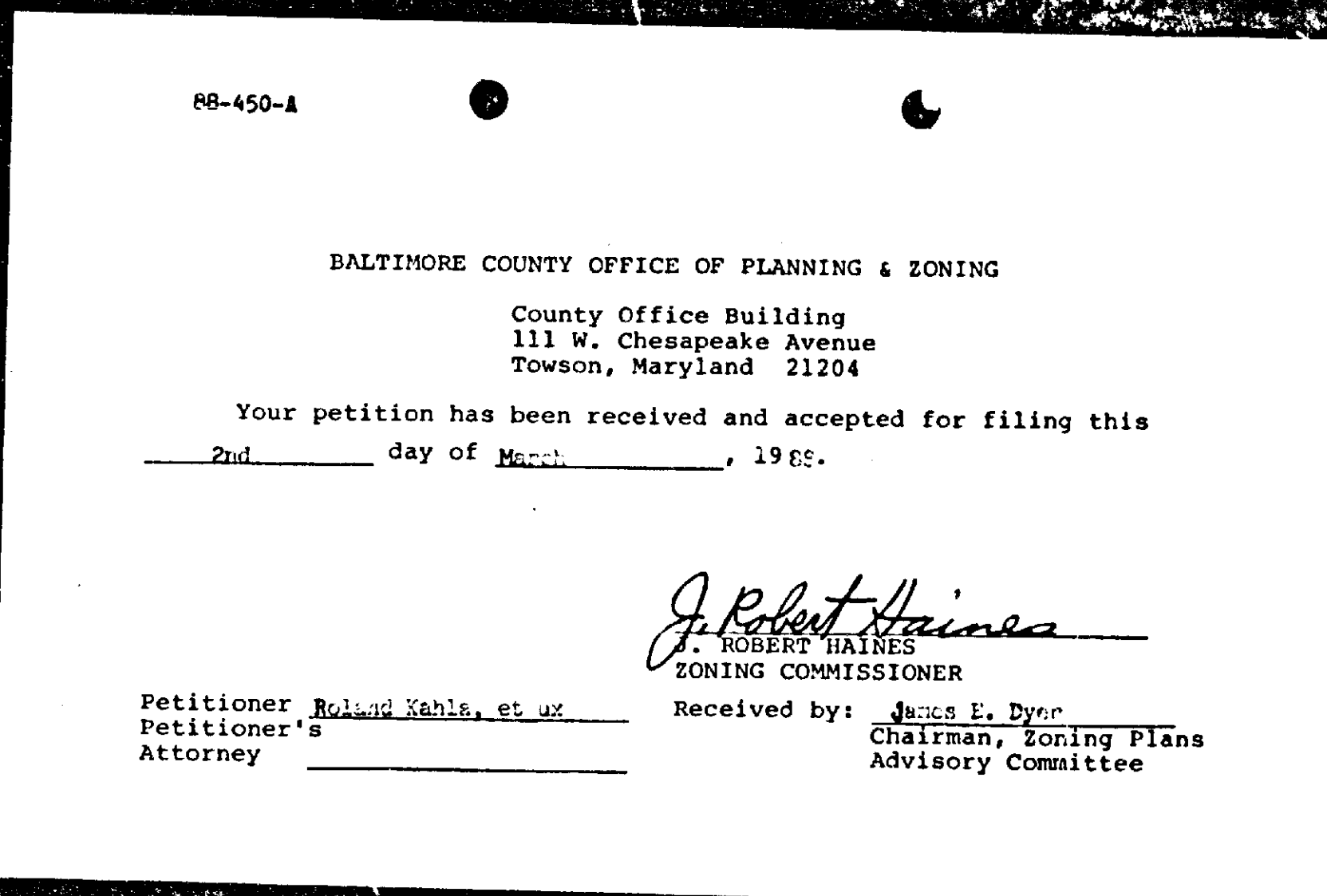
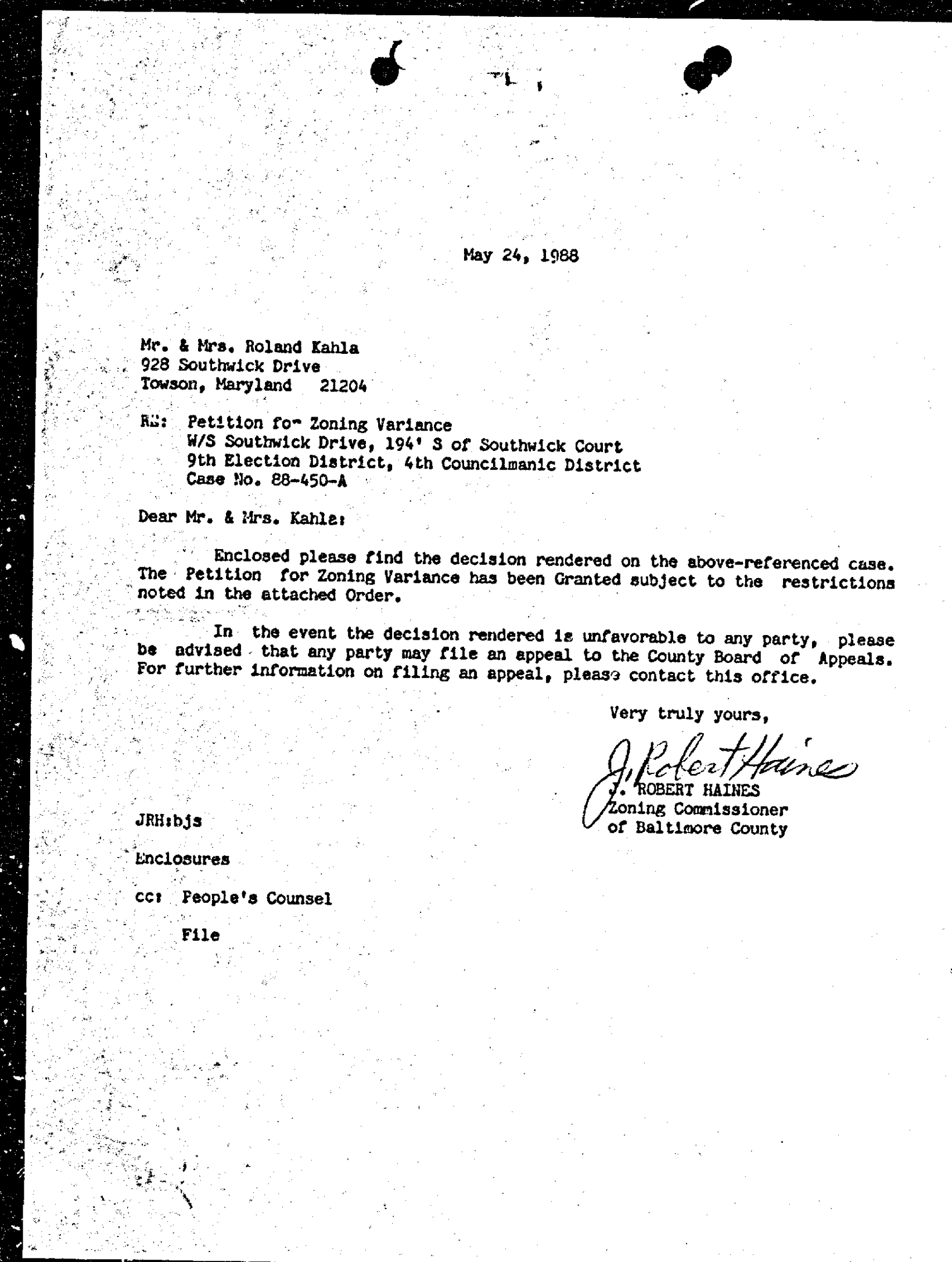
Signature: Margaret Kahla

(Type or Print Name)

Signature: Margaret Kahla

(Type or Print Name)





Baltimore County  
Fire Department  
Towson, Maryland 21204-2586  
494-4300

Paul H. Reische  
Chief

J. Robert Haines  
Zoning Commissioner  
Office of Planning and Zoning  
Baltimore County Office Building  
Towson, MD 21204

March 2, 1988

Re: Property Owner: Roland Kahla, et ux

Location: W/S Southwick Dr., 194' S. Southwick Court.

Item No.: 300

Zoning Agenda: Meeting of 3/1/88

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "X" are applicable and required to be corrected or incorporated into the final plans for the property.

( ) 1. Fire hydrants for the referenced property are required and shall be located at intervals or \_\_\_\_\_ feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.

( ) 2. A second means of vehicle access is required for the site.

( ) 3. The vehicle dead end condition shown at \_\_\_\_\_  
EXCEEDS the maximum allowed by the Fire Department.

( ) 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.

(X) 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code," 1976 edition prior to occupancy.

( ) 6. Site plans are approved, as drawn.

( ) 7. The Fire Prevention Bureau has no comments at this time.

REVIEWED: John J. Kelly 3-2-88 Noted and Approved: John F. O'Neill  
Planning Group  
Special Inspection Division  
Fire Prevention Bureau

/s/

Baltimore County  
Department of Public Works  
Bureau of Traffic Engineering  
Courts Building, Suite 405  
Towson, Maryland 21204  
494-3334

RECEIVED  
APR 7 1988

ZONING OFFICE

March 31, 1988

Mr. J. Robert Haines  
Zoning Commissioner  
County Office Building  
Towson, Maryland 21204

Dennis F. Rastulicoff  
County Engineer

Dear Mr. Haines:

The Bureau of Traffic Engineering has no comments for items  
number 292, 293, 294, 295, 297, 298, 299 and 300.

Very truly yours,

*Michael S. Flanigan*  
Michael S. Flanigan  
Traffic Engineer Associate II

NSF/pml-b